

**BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA**

In the Matter of the Order Instituting Investigation on the Commission's Own Motion Into the Operations and Practices of Andy's Ultimate Limousines, Inc., a California Corporation, doing business as The Ultimate Limousine (PSG-11646-P), and A.L.S., a California Corporation, doing business as Andy's Limousine Service Transportation (PSG 16218-B) and its President Andrew Wagner, and Vice President Dannerter Wagner, to determine whether they have violated the laws, rules and regulations governing the manner in which charter-party carriers conduct operations and whether they are no longer fit to continue to conduct passenger transportation service.

Respondents.

Investigation 04-07-004  
(Filed July 8, 2004)

**ADMINISTRATIVE LAW JUDGE'S RULING  
SETTING PREHEARING CONFERENCE AND DIRECTING  
THE FILING OF PREHEARING CONFERENCE STATEMENTS**

This ruling directs Respondents, as well as the Commission's Consumer Protection and Safety Division (CPSD), to attend a prehearing conference on Thursday, August 26, 2004, at 10:00 a.m., in the Commission's Courtroom, State Office Building, 320 West 4<sup>th</sup> Street, Suite 500, Los Angeles, California. The failure of respondents to appear at the prehearing conference may subject them to sanctions in addition to those set forth in the Order Instituting Investigation (OII).

## **Background**

On July 8, 2004, the Commission issued an investigation into the operations and practices of Andy's Ultimate Limousines, Inc., a California Corporation, dba The Ultimate Limousine, A.L.S., a California Corporation dba Andy's Limousine Service Transportation, and their officers, Andrew Richard Wagner, President, and Donna Wagner, Vice-President. The investigation alleges violations of various California laws and affords respondents the opportunity to show cause why their operating authorities should not be suspended for a term to be established or revoked.

## **Prehearing Conference**

This ruling sets a prehearing conference on Thursday, August 26, 2004, at 10:00 a.m., in the Commission Courtroom, State Office Building, 320 West 4<sup>th</sup> Street, Suite 500, Los Angeles, California. At the prehearing conference, the Commission may address the schedule of the proceeding, more clearly formulate the issues, arrange for the exchange of proposed exhibits or prepared testimony, and address other matters as may expedite the orderly conduct and disposition of the proceeding.

## **Prehearing Conference Statements**

No later than Wednesday, August 18, 2004, both CPSD and respondents are directed to file prehearing conference statements addressing the following issues:

- Recommended schedule for the proceeding (dates for exchanging prepared testimony; for hearings, briefing, etc.) to enable the Commission to resolve this case no later than 12 months from the date of filing the proceeding. (See Pub. Util. Code § 1701.2(d).)

- Identification of the principal factual and legal issues and the evidentiary bases for claims and defenses (other than the facts and legal issues set forth in the OII).
- Anticipated witnesses.
- Anticipated discovery issues.
- Other topics as the interest of justice and efficient case management require.

All parties should serve the prehearing conference statements on the attached service list as well as on Assigned Administrative Law (ALJ) Judge Janet Econome, 505 Van Ness Avenue, Room 5113, San Francisco, CA 94102, (ALJ Econome's email address is [jjj@cpuc.ca.gov](mailto:jjj@cpuc.ca.gov)).

**IT IS RULED** that:

1. The Commission will hold a prehearing conference on Thursday, August 26, 2004, at 10:00 a.m., in the Commission's Courtroom, State Office Building, 320 West 4<sup>th</sup> Street, Suite 500, Los Angeles, California.
2. Parties should file prehearing conference statements as set forth in the ruling no later than Wednesday, August 18, 2004.

Dated August 6, 2004, at San Francisco, California.

/s/ JANET A. ECONOME  
Janet A. Econome  
Administrative Law Judge

\*\*\*\*\* APPEARANCES \*\*\*\*\*

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\*\*\*\*\* INFORMATION ONLY \*\*\*\*\*

**(END OF ATTACHMENT)**

**ATTACHMENT  
CERTIFICATE OF SERVICE**

I certify that I have by mail this day served a true copy of the original attached Administrative Law Judge's Ruling Setting Prehearing Conference and Directing the Filing of Prehearing Conference Statements on all parties of record in this proceeding or their attorneys of record.

Dated August 6, 2004, at San Francisco, California.

/s/ FANNIE SID

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Fannie Sid

**N O T I C E**

Parties should notify the Process Office, Public Utilities Commission, 505 Van Ness Avenue, Room 2000, San Francisco, CA 94102, of any change of address to insure that they continue to receive documents. You must indicate the proceeding number on the service list on which your name appears.

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The Commission's policy is to schedule hearings (meetings, workshops, etc.) in locations that are accessible to people with disabilities. To verify that a particular location is accessible, call: Calendar Clerk (415) 703-1203.

If specialized accommodations for the disabled are needed, e.g., sign language interpreters, those making the arrangements must call the Public Advisor at (415) 703-2074 or TTY# 1-866-836-7825 or (415) 703-5282 at least three working days in advance of the event.